

**Minutes of Land Use, Parks and Environment Committee**  
**Tuesday, August 16, 2011**

Chair Fritz Ruf called the meeting to order at 8:30 a.m.

**Committee Members Present:** Supervisors Fritz Ruf (Chair), Walter Kolb, Michael Inda, Tom Schellinger, James Jeskewitz. **Absent:** Supervisors Ted Rolfs, Rob Hutton.

**Also Present:** Legislative Policy Advisor Sarah Spaeth, Legislative Associate Karen Phillips, Parks and Land Use Director Dale Shaver, Planning and Zoning Manager Jason Fruth, Land Resources Manager Perry Lindquist, Senior Financial Analyst Clara Daniels.

**Approve Minutes of July 8 and July 19, 2011**

MOTION: Jeskewitz moved, second by Schellinger, to approve the minutes of July 8 and July 19, 2011. Motion carried 5-0.

**Executive Committee Report of August 15, 2011**

Ruf highlighted the items discussed at the August 15<sup>th</sup> Executive Committee meeting:

- The tentative supervisory district plan
- Presentation of Waukesha County Communications Center audit
- Waukesha County Economic Development Corporation (WCEDC) update on small businesses by WCEDC Director Bill Mitchell
- Approval of several ordinances and appointments

**Future Meeting Date**

- September 20, 2011

**Ordinance 166-O-037: Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The City Of Waukesha By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ And NW ¼ Of Section 29, T6N, R19E, City Of Waukesha, Waukesha County, Wisconsin, From The A-1 Agricultural District To The R-3 Residential District (SVZ-1718)**

Fruth pointed out the subject parcel on an overhead map. The 5.9-acre property is located on the west side of River Road, south of Lawnsdale Road, and has frontage on the Fox River. The petitioners are proposing to divide the property into three lots by means of a certified survey map (CSM). One 3-acre lot would contain the existing buildings. The other lots, approximately 1.3 and 1.5 acres, would be developed for residential use. The portion of the property along the Fox River is located within the Waukesha County Shoreland and Floodland Protection Ordinance jurisdictional limits. Although wetland and floodplain areas are currently designated as future County greenway, the Parks Division is not pursuing ownership at this time and areas east of the river most likely will be removed from the Park and Open Space Plan in the near future.

Planning and Zoning Division staff recommended approval of the proposed rezoning with the condition that staff review and approve the CSM before it is recorded in the Waukesha County Register of Deed's Office.

MOTION: Jeskewitz moved, second by Inda, to approve Ordinance 166-O-037. Motion carried 5-0.

**Ordinance 166-O-038: Amend The Text Of The Town Of Delafield Zoning Code To Create Section 17.03(6)(E) Regarding Maximum Eave Height And To Repeal And Recreate Portions Of Section 17.04.5 Regarding Maximum Garage Size In The A-1, A-E (By Reference To The A-1 Section) And A-2 Zoning Districts (ZT-1720)**

Fruth summarized the proposed code changes to the Town of Delafield zoning ordinance in regard to building height and accessory building size. The amendments include changes to the language in the code regulating maximum garage size in the A-1, A-E and A-2 Districts. The amendments also allow for a height exception of eaves on residential buildings to be increased from 30 ft. to 35 ft., subject to certain factors pertaining to fire safety and Town Plan Commission approval.

Kolb asked about the fire sprinkler system provision included in the Town Code. Fruth clarified that the sprinkler provision was previously contained in the code. The new code language requires height exception requests to be reviewed by the fire department, relative to the protection of property and public safety; any fire sprinkler requirement would be determined upon review on a case by case basis.

Ruf questioned the reasoning for the proposed building height increase. Fruth stated that the 35 ft. building height is not unusual for home construction in this area. The Waukesha County Zoning Code allows for a standard maximum eave height of 36 ft. in residential zoning districts.

MOTION: Kolb moved, second by Schellinger, to approve Ordinance 166-O-038. Motion carried 5-0.

**Resolution 166-R-004: Approval Of Waiver Of Renegotiation Of Existing Agreements Affecting The Veolia ES Emerald Park Landfill For Proposed Western Expansion**

Lindquist was present to discuss this resolution which waives County participation in the negotiation and arbitration process for the proposed Western Expansion of the Veolia Emerald Park Landfill in Muskego. In July 2011, Veolia Emerald Park submitted a change in the footprint of the western expansion to the Wisconsin Department of Natural Resources. The Waste Facility Siting Board determined that this change requires a new local approval process. The proposed resolution reaffirms the County's intention to waive renegotiation of the existing agreements.

Lindquist distributed and reviewed a handout titled *Emerald Park Landfill Muskego – Western Expansion Revised*, and a map showing the difference between the 2006 expansion footprint and 2011 footprint. The current agreement includes “direct fee per ton” of waste disposed and also includes \$156,000 per year to support the Household Hazardous Waste Program. The current fee is \$4.56 per ton, which increases 5.2% annually. Waukesha County receives 15% of the per ton fee (currently \$0.68/per ton). Lindquist noted that this is a very good deal for the County.

MOTION: Jeskewitz moved, second by Inda, to approve Resolution 166-R-004. Motion carried 5-0.

**Resolution 166-R-005: Accept Report Of Community Development Block Grant (CDBG) And HOME Program Administration Review**

Shaver explained that the 2011 Waukesha County budget included an objective to conduct a study of the Community Development, HOME and CDBG programs to determine their proper alignment within the County's organizational structure. The Department of Administration (DOA) contracted with a consultant to analyze and evaluate the current operations, administrative procedures and organizational alignment.

Shaver reviewed the consultant's report as outlined. The findings of the report included several proposed recommendations to streamline and improve the Community Development, CDBG and HOME

programs. It was recommended that the operations be moved from the County Executive's Office and placed under the oversight of a department head, in particular the Department of Parks and Land Use (PLU). Shaver explained that as the director of the department, he would take over the primary responsibility for reporting program status to the County Executive and oversight committees, and PLU managers and staff provide additional support to Community Development staff. He is currently working with Community Development staff to organize and update operations as recommended by the consultant. In response to Kolb's question, Shaver stated that Glen Lewinski would remain in his current position as the Community Development Coordinator.

MOTION: Inda moved, second by Schellinger, to approve Resolution 166-R-005. Motion carried 5-0.

MOTION: Jeskewitz moved, second by Inda, to adjourn at 9:40 a.m. Motion carried 5-0.

Respectfully submitted,

Jim Jeskewitz,  
Secretary